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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE LARRY A. BURNS)

UNITED STATES OF AMERICA,) CASE NO. 07cr3355-LAB
v.)
Plaintiff,) DATE: January 22, 2007
v.) TIME: 2:00 p.m.
LORI STAUFFER (1),) NOTICE OF MOTIONS:
MARK NEEL (2),)
Defendants.) (1) TO COMPEL DISCOVERY;
) (2) TO DISMISS THE INDICTMENT
) DUE TO MISINSTRUCTION OF
) THE GRAND JURY; AND,
) (3) FOR LEAVE TO FILE FURTHER
) MOTIONS

TO: KAREN P. HEWITT, UNITED STATES ATTORNEY, AND
CARLA BRESSLERⁱ, ASSISTANT UNITED STATES ATTORNEY:

20 PLEASE TAKE NOTICE that on January 14, 2007, at 2:00 p.m., or as soon thereafter
21 as counsel may be heard, the defendant, Mark Neel, by and through his counsel, Robert
22 Rexrode, will ask this Court to enter an order granting the following motions.

MOTIONS

24 The defendant, Mark Neel by and through his attorney, Robert Rexrode, pursuant to
25 the United States Constitution, the Federal Rules of Criminal Procedure, and all other

¹As of today's filing, no AUSA has made an appearance in this case. Defense counsel has therefore noticed the AUSA assigned this case in the government's Grand Jury Unit.

applicable statutes, case law and local rules, hereby moves this Court for an order:

2 1) to compel discovery;
3 3) to dismiss the indictment due to misinstruction of the grand jury; and,
3 3) for leave to file further motions.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, and all other materials that may come to this Court's attention at the time of the hearing on these motion.

Respectfully submitted,

Dated: December 25, 2007

/s/ Robert H. Rexrode
ROBERT H. REXRODE, III
Attorneys for Mr. Neel
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